

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES - Commercial Taxes Department - Refund of arrears to un-authorized persons in the case of M/s. Udaya Bhanu Dealers, Piduguralla - Disciplinary proceedings against Sri P. Jakaraiah, former Commercial Tax Officer, Piduguralla and Joint Commissioner, Commercial Taxes (Retired) - Article of charges issued - Written statement of defence - Considered - Further action dropped - Orders - Issued.

REVENUE (VIGILANCE-I) DEPARTMENT

G.O.Rt.No. 400

Dated:20-03-2013.

Read the following :

1. From the Commissioner, Commercial Taxes, Hyderabad Letter No. VI/1597/2007, Dated 17.12.2007.
2. G.O.Rt.No. 986, Revenue (Vig.I) Department, Dated 1.5.2008.
3. From Sri P. Jakaraiah, former CTO and Joint Commissioner, CT, written statement of defence, dated 10.2.2011.
4. From the APAT, orders 8.6.2011 in O.A.No.9034/2008 filed by Sri P. Jakaraiah, Joint Commissioner, CT.
5. From the Commissioner, CT, Hyderabad, Letter No. VI/1597/2007, Dated 12.6.2011.
6. Govt. Memo No.79969/Vig. I(1)/2007, Revenue (Vig. I) Department, Dated 13.8.2012.

ORDER:

In the reference 2nd read above, charges were framed against Sri P. Jakaraiah, Deputy Commissioner, Commercial Taxes for refunding an amount of Rs.3,00,745/- to an unauthorized person and caused loss to the Government exchequer, while he was working as Commercial Tax Officer, Piduguralla, Guntur-II Division. He was directed to submit his written statement of defence.

2. In the reference 3rd read above, Sri P. Jakaraiah, former Commercial Tax Officer and Joint Commissioner, Commercial Taxes has submitted his written statement of defence stating among others that the vouchers were handed over to Sri P. Vemaiah (viz., Veeraiah) who has been acting on behalf of above firm in filing returns, taking notices, statutory forms etc., and it is a practice that though the vouchers are issued in the name of Dealer, a representative of the dealer collects the vouchers by acknowledging the receipt and hence he has not committed any irregularity or loss and requested to drop the charge framed against him.

3. In the reference 4th read above, the Hon'ble Andhra Pradesh Administrative Tribunal have allowed the O.A.No. 9034/2008 filed by Sri P. Jakaraiah, Joint Commissioner, Commercial Taxes and quashed the charges framed against him on the ground of delay in initiation of disciplinary proceedings.

P.T.O.,

::2::

4. In the reference 5th read above, the Commissioner, Commercial Taxes, Hyderabad has reported that Sri P. Vemaiah was representative of M/s. Udaya Bhanu Lime Village Industries Association, Piduguralla and that there was no further claim from the Dealer and the refund amount has gone to the right dealer and there is no tax balances from the said firm.

5. In the reference 6th read above, Government have requested the Commissioner, Commercial Taxes, Hyderabad to release all pensionary benefits due to Sri P. Jakaraiah, former Commercial Tax Officer and retired Joint Commissioner, Commercial Taxes, keeping in view the interim orders of Andhra Pradesh Administrative Tribunal in O.A.No.5884/2012.

6. Government have examined the entire matter keeping in view the orders of Andhra Pradesh Administrative Tribunal and the report of the Commissioner of Commercial Taxes and after careful consideration, hereby drop further action against Sri P. Jakaraiah, former Commercial Tax Officer and Joint Commissioner, Commercial Taxes (Retired) in the matter.

7. The Commissioner of Commercial Taxes, A.P, Hyderabad shall take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri P. Jakaraiah, Joint Commissioner, CT (Retd.)

through the Commissioner of Commercial Taxes, A.P, Hyderabad.

The Commissioner of Commercial Taxes, A.P, Hyderabad.

Copy to

The Accountant General, AP, Hyderabad.

The Director of Treasuries & Accounts, AP, Hyderabad.

The Revenue (CT-I) Department.

SF/SC.

//Forwarded :: By Order //

SECTION OFFICER.